

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of  
 Peter Rabinovitch et al  
 Serial No. 10/696,034  
 Filed: October 30, 2003  
 For: Network Service Level Agreement Arrival-Curve-Based Conformance Checking

Group Art Unit 2143



Assistant Commissioner for Patents  
 Washington, D.C. 20231

Sir:

## INFORMATION DISCLOSURE STATEMENT

This Information Disclosure Statement is submitted:

under 37 CFR 1.97(b), or  
 (Within three months of filing national application; or date of entry of international application; or before mailing date of first Office action on the merits; whichever occurs last.)

under 37 CFR 1.97(c) together with either a:  
 Certification under 37 CFR 1.97(e), or  
 a \$180.00 fee under 37 CFR 1.17(p), or  
 (After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first.)

under 37 CFR 1.97(d) together with either a:  
 Certification under 37 CFR 1.97(e), and  
 a petition under 37 CFR 1.97(d)(2)(ii), and  
 a \$130.00 petition fee set forth in 37 CFR §117(i)(1).  
 (Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee.)

Applicant(s) submits herewith Form PTO 1449-Information Disclosure Citation together with copies of patents, publications or other information of which applicant(s) is aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.

The relevance of the attached references is that this is the closest art of which applicant(s) is aware.

Applicant(s) submits that the above references taken alone or in combination neither anticipate nor render obvious the present invention. Consideration of the foregoing in relation to this application is respectfully requested.

Respectfully submitted,

*Jim Zegeer*  
 Jim Zegeer, Reg. No. 18,957  
 Attorney for Applicant(s)

Attachments:

Form PTO-1449 and cited references

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 Date: March 18, 2004

In the event this paper is deemed not timely filed, the applicant hereby petitions for an appropriate extension of time. The fee for this extension may be charged to Deposit Account No. 26-0090 along with any other additional fees which may be required with respect to this paper.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /R.J./

FORM PTO-1449 (MODIFIED)	U.S. Department of Commerce Patent and Trademark Office	ATTY. DOCKET NO. <b>3461-Z</b>	SERIAL NO. <b>10/696,034</b>
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>		APPLICANT <b>Peter Rabinovitch et al</b>	
(Use several sheets if necessary)		FILING DATE <b>October 30, 2003</b>	GROUP <b>2143</b>

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

**EXAMINER** /R.J./ **DATE CONSIDERED** /Ryan Jakovac/

**EXAMINER:** Initial if citation is considered, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

+ Did not receive ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /R.J./